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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Thailand*

The present report is a summary of 27 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Joint Submission 7 (JS7) noted that despite Thailand's pledge to become a party to the ICPPED during the first cycle UPR, Thailand had not yet ratified it. JS7 further noted that on 12 January 2015, the Draft Prevention and Suppression of Torture and Enforced Disappearance Act was presented to the Cabinet, which has yet to be enacted into law.[3]

2. Constitutional and legislative framework

2. CIVICUS noted that on 22 May 2014, a military coup was staged two days after the army declared martial law in Thailand. The National Council for Peace and Order (NCPO) was established the same day and remained the predominant political actor in the country. The NCPO dissolved the lower House of the Parliament and abolished the 2007 Constitution. An Interim Constitution was drafted without proper public consultation and signed into force by the King on 22 July 2014.[4] JS7 also noted that the interim Constitution gave the NCPO sweeping, unchecked powers violating the fundamental pillars of the rule of law and human rights, including equality, accountability and predictability of the law.[5]

3. CIVICUS also noted that martial law remained in force until 1 April 2015 and was replaced by a new 14-point security order, NCPO Order 3/2015, issued under article 44 of the Interim Constitution. According to CIVICUS, this constitutional provision gives sweeping powers to the Head of the NCPO, who can intervene unilaterally by issuing any order deemed necessary "to disrupt or suppress regardless of the legislative, executive or judicial force of that order" in the name of national security, reforms or unity. The NCPO Order 3/2015 creates "peace and order maintenance officers" allowing appointed military officers with a rank of Second Lieutenant or above to have sweeping powers to defend the security of the state, while also being provided immunity for any actions taken.[6]

4. CIVICUS recommended that citizens' rights be restored through the promulgation of a constitution that is in harmony with Thailand's obligations under international human rights law and is subjected to a process of extensive public consultation.[7]

5. Joint Submission 1 (JS1) noted that in 2008, the Government made amendments to the Nationality Act (No. 4) (2008) and the Civil Registration Act (No. 2) (2008). These legal amendments allowed all children born in Thailand to be registered, regardless of the legal status of parents, which means that the children of migrants, asylum seekers, refugees and stateless people are entitled to have their births registered.[8] JS1 further noted that in 2012, almost all children under five were registered at birth however a large gap between the birth registration rates of Thai and non-Thai households persisted, which originated from the incomplete implementation of the amendments affecting mostly children born from refugee, asylum seeker or stateless parents.[9]

3. Institutional and human rights infrastructure and policy measures

6. Joint Submission 12 (JS12) stated that domestic human rights mechanisms were weak and the selection of Commissioners to the National Human Rights of Thailand had failed to meet the standards set by the Paris Principles.[10]

B. Cooperation with human rights mechanisms

Cooperation with special procedures

7. Joint Submission 1 (JS1) noted that despite the standing invitation, requests for a country visit by the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the rights to freedom of peaceful assembly and of association and on Torture had remained pending since 2012, 2013 and 2014 respectively.[11]

8. CIVICUS recommended that Thailand invite special procedures mandate holders, in particular the Special Rapporteurs on the situation of human rights defenders, on freedom of expression, and on freedom of peaceful assembly and of association.[12] JS12 also recommended accepting the request for a visit by the Special Rapporteur on torture.[13]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. JS5 noted that in the Southern Border Provinces under the conflict area, women's political participation and decision-making were restricted by factors such as religion, culture and tradition, as well as local values that underpin the belief that women are supposed to act only as wives and mothers.[14]

10. While noting that Thailand is in the process of drafting a new constitution which includes specific new grounds for the prohibition of discrimination in relation to gender, Joint Submission 6 (JS6) recommended that Thailand ensure that the new Constitution include a provision specifically prohibiting discrimination on the grounds of sexual orientation or gender identity.[15]

11. Joint Submission 11 (JS11) noted that there was no legislation that recognizes gender-related laws and supports civil union for LGBTI people resulting in a wide range of discrimination against same-sex couples and still has in place laws and policies which discriminate against LGBTI individuals.[16]

12. JS6 noted that Thailand did not recognize any sex or gender transitions, as a result of which transgender people encounter difficulties on a daily basis, including when seeking employment, pursuing education and even travelling abroad.[17]

2. Right to life, liberty and security of the person

13. Joint Submission 8 (JS8) noted that the Criminal Code prescribes the death penalty under 55 different articles for various criminal offences, including pre-meditated murder, rape resulting in death, kidnapping, terrorism, espionage, treason, economic crimes, and drug-related offences.[18] Drug-related offences represented a disproportionate share of the crimes for which a death sentence is imposed.[19]

14. The National Human Rights Commission of Thailand (NHRCT) expressed the hope that the Government takes steps towards abolishing the death penalty.[20] JS8 expressed concern that lawmakers proposed the introduction of laws that expand the offences that can be punished by death.[21] Amnesty International (AI) also noted that the Government had not placed an official moratorium on the implementation of the death penalty.[22]

15. Human Rights Watch (HRW) noted that since January 2004, more than 6,000 people had been killed in a brutal internal armed conflict in Thailand's southern border provinces of Pattani, Yala, and Narathiwat. Even though there was a drop of violent incidents after the resumption of peace dialogues in August 2015 between the Government and Barisan

Revolusi Nasional (BRN) and other separatist groups in the loose network of Majlis Syura Patani (Mara Patani), both sides had frequently committed human rights abuses and violations of the laws of war.[23]

16. HRW also noted that extrajudicial killings, enforced disappearances, arbitrary detentions, and torture had occurred regularly as part of the Government's counterinsurgency campaign and in reprisals for insurgent attacks on the ethnic Thai Buddhist population and security personnel. No member of the security forces had been criminally prosecuted for human rights abuses in the southern border provinces.[24] AI also noted that in three southernmost provinces, there had been targeted killings of civilians by insurgent groups, torture and other ill-treatment of detainees in military custody, and excessive use of force and extrajudicial killings by security forces and defence militias.[25]

17. JS2 noted that that children as young as 14 had been recruited and used to participate in hostilities by armed groups operating in southern Thailand. In December 2013, children under the age of 18 were present in the ranks of the dominant armed opposition groups, including the Patani Malay National Revolutionary Front (Barisan Revolusi Nasional Melayu Patani or BRN).[26]

18. Joint Submission 4 (JS4) noted that there were no legal provisions to criminalize the act of torture, no prevention and suppression measures, no remedies for the affected parties, and no other relevant measures in compliance with CAT.[27]

19. JS4 stated that the Ministry of Justice had shown a strong willingness to tackle the issue of torture, along with the support of NGOs and local communities; however, the lack of specific expertise in the country and current national laws had made it very difficult to rehabilitate torture victims.[28] Joint Submission 5 (JS5) also highlighted that victims of torture faced hardship in procuring witnesses and in presenting torture evidence to the court, largely due to the fact that the majority of the victims are not granted permission for their families, lawyers or representatives from the NHRCT to visit them in detention privately and immediately after they have been tortured.[29]

20. JS4 noted that ethnic minority arrested under suppressive policies relating to counter insurgency and counter drug suppression were allegedly subjected to torture and ill treatment in Southern Border Provinces. JS4 added that torture was still under-documented nationwide and there was no adequate legal aid and human rights monitoring mechanism in place.[30]

21. Joint Submission 13 (JS13) noted that the conditions of detention centres fell below international standards since they are often overcrowded, and lacked access to adequate healthcare services and religious and cultural accommodations.[31]

22. CIVICUS noted that in the year following the 22 May 2014 coup, at least 751 individuals and human rights defenders, including prominent academics, civil society activists, journalists and members of diverse political groups were either summoned by the NCPO to report for 'attitude adjustment' or were arbitrarily detained for engaging in peaceful and legitimate human rights activities.[32]

23. HRW expressed concern about the government policy that continues to subject drug users to compulsory treatment at centres run by the military and the Interior Ministry. According to HRW, each year about 10,000-15,000 people are sent to such centers, where drug treatment is based on military-style physical exercise. Most people experience withdrawal from drugs while detained in prison for assessment, with little or no medical supervision or medication provided.[33]

24. JS5 stated that enforced disappearance was used as an extra-legal method of harassment and repression by the security forces. Judicial remedies, the right to truth and the right to reparations for enforced disappearances remained largely denied by the State.[34]

25. Joint Submission 2 (JS2) noted that prostitution was criminalized under the *Prevention and Suppression of Prostitution Act* (1996); however, the law was mostly ignored and prostitution was practiced quite openly with the involvement of large numbers of children. While the *Act* treated prostitution of children as an aggravating offence imposing harsher penalties for younger children, it did not exempt child victims of prostitution from penalties under the law.[35] Furthermore, Section 34 of the *Act* and Section 33 of the *Anti-Trafficking Act*, a judge was permitted to order a child victim to be confined in a Protection and Occupational Development Centre (PODC) for his 'rehabilitation' for a period of up to two years, which discourages child victims from reporting and has led to many child victims running away during the criminal process.[36]

26. JS1 expressed serious concern about human trafficking and the smuggling of migrants noting that Thailand is recognized as a country of destination, origin and transit. Significant numbers of workers in the fishing and seafood processing industries are migrant workers. The recruitment for workers in this industry is largely based on informal recruitment processes, which has led to cases of human trafficking and human rights abuses.[37]

27. JS1 noted that although the Government had sought to crack down on human trafficking syndicates in April and May 2015, a series of mass graves, believed to be largely comprised of trafficked Rohingya, were found near the Thai-Malaysia border.[38]

28. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children was unlawful in schools and the penal system while it was lawful in the home, in alternative care settings and in day care lawful.[39] Achieving prohibition requires the enactment of legislation clearly prohibiting corporal punishment in these settings and explicitly repealing the right of parents to abusively? Punish children in the Civil and Commercial Code.[40]

3. Administration of justice, including impunity, and the rule of law

29. Lawyers' Rights Watch Canada (LRWC) highlighted that at least 700 civilians, including a number of human rights defenders, pro-democracy activists, academics and at least one lawyer had faced proceedings by Military Courts since the May 2014 military coup. Military courts lacked independence and impartiality and competence. The presumption of innocence was compromised in Military Courts.[41]

30. HRW and JS1 noted that due to the 20 May 2014 declaration of martial law and the issuance of NCPO Announcement 37/2014 on 25 May 2014, military courts assumed jurisdiction over *lèse majesté* cases, which continued to be tried by military courts after the revocation of martial law on 1 April 2015 and the issuance of replacing NCPO order 3/2015. As a result, individuals who allegedly committed *lèse majesté* offences between 25 May 2014 and 31 March 2015 had not right to appeal a decision made by a military court.[42]

31. JS1 also noted that many *lèse majesté* trials conducted in both military and civilian courts were held *in camera* because court officials claimed that they might affect national security or public moral.[43]

32. HRW noted that the interim Constitution provided that anyone carrying out actions on behalf of the NCPO "shall be absolutely exempted from any wrongdoing, responsibility, and liabilities. HRW recommended that Thailand should immediately revoke section 44 of the interim Constitution and related provisions that serve as a basis for Thai authorities to repress fundamental freedoms and commit human rights violations with impunity.[44]

33. JS7 observed numerous procedural irregularities in the military courts, including: the passage of several months before a copy of the indictment is provided to an accused; defence lawyers being denied access to the court file; failure of judges to disclose their

names in written decisions; failure to make hearings accessible to the public in certain cases, including by an explicit order in *lèse majesté* cases or the fact that the court is located on a secure military base or the small size of the courtroom; refusal to allow the public to take notes; and long administrative delays due to the inability of military court personnel to process the sharp increase of cases.[45]

34. Human Rights Lawyers Association (HRLA) stated that human rights abuses and violations against human rights defenders occurred as a result of law enforcement by the State, the lack of a legal provision to criminalize such an acts and to provide redress, and the culture of impunity.[46] Joint Submission 9 (JS9) noted reports of armed men being hired to t physically attack human rights defenders. The authorities had frequently failed to take action to protect human rights defenders who face risks at the hands of private actors.[47]

35. Joint Submission 14 recommended that Thailand end impunity for crimes against human rights defenders, including through: development of legislation that explicitly acknowledges and protects their work and gives full force and effect to the UN Declaration on Human Rights Defenders; and the prompt, independent and effective investigation, prosecution and remediation of all threats and attacks against human rights defenders.[48]

36. Lawyers for Lawyers (L4L) specifically noted that lawyers were regularly subjected to threats, intimidation and improper interference or attempts to put pressure on them by members of law enforcement agencies or the military.[49]

37. While noting little progress in criminal investigations of the alleged abuses committed by the pro-military People's Democratic Reform Committee (PDRC) and the People's Alliance for Democracy (PAD), or in efforts to seek compensation for damages caused by their protests in connection with the violence of April-May 2010, HRW recommended that Thailand immediately conduct an impartial, transparent, and independent inquiry into the violence of April-May 2010, and other politically motivated violence and ensure all perpetrators of serious crimes are brought to justice, regardless of their status and affiliation.[50]

38. HRLA noted that the act of enforced disappearance was not criminalized by any specific law. No legal action could be undertaken to accelerate the process to investigate information thus posing a challenge regarding access of victims to justice.[51]

39. JS2 noted that the minimum age of criminal responsibility was raised from 7 to 10 years following the first UPR in 2011. However, JS2 noted the CRC's concluding observation that 10 years still remain below internationally acceptable standards.[52]

4. Right to privacy, marriage and family life

40. Joint Submission 15 (JS15) noted that the Cybersecurity Bill would provide the National Cybersecurity Committee with wide ranging powers to conduct communication surveillance without adequate safeguards and limitations in accordance with the principles of legality, necessity and proportionality.[53]

5. Freedom of movement

41. Institute on Statelessness and Inclusion (ISI) noted that in order to travel beyond their district, stateless hill tribe people first needed to acquire a permit. Travelling without a permit meant risking arrest and charges. Yet acquiring a permit could be difficult due to the costs and need to invoke the help of the community leader. Moreover, people without identity papers cannot travel as they are not entitled to permits.[54]

6. **Freedom of expression, association and peaceful assembly**

42. JS1 stated that Thai laws contained numerous provisions that greatly limit the right to freedom of opinion and expression. Legislation that is inconsistent with international human rights standards and breaches Thailand's obligations under international law includes include, among other, Articles 112 (*lèse-majesté*), 326 (defamation), and 328 (libel) of the Criminal Code; Articles 14 and 15 of the 2007 Computer Crimes Act.[55]

43. Joint Submission 16 (JS16) noted ongoing pattern of media censorship, restrictions on the media, harassment and detention of media workers and the resulting self-censorship by the media. JS16 highlighted that the situation regarding media freedom had rapidly and significantly deteriorated following the military takeover on 22 May 2014.[56]

44. CIVICUS noted that in the 365 days following the coup, at least 166 individuals were arrested for expressing their opinion in public spaces. A combination of legal restrictions on the freedom of expression had been used by the military junta to silence critical voices, such as *lèse majesté* (section112 of the Criminal Code), sedition (section 116 of the Criminal Code), defamation (sections 326 and 328 of the Criminal Code) and the 2007 Computer Crimes Act.[57] CIVICUS also noted that in the year following the coup, at least 46 individuals faced charges under section 112 (*lèse majesté*). As a consequence, self-censorship was being exercised by most journalists and media outlets.[58]

45. JS1 stated that since its first UPR, Thailand had increased arrests and prosecutions under Article 112 (*lèse majesté*). The deprivation of liberty under the pretext of protecting the monarchy significantly intensified after the 22 May 2014 military coup d'état.[59]

46. JS1 also noted Announcement 97/2014 issued by the National Council for Peace and Order (NCPO) that imposes an obligation for all news outlets, both public and private to distribute the information issued by the NCPO, as well as bans "criticism of the work of the NCPO" and the dissemination of information that could harm national security, cause confusion, or incite or provoke "conflict or divisions" in the country.[60]

47. JS15 noted that since at least 2013 and more systematically since the coup in May 2014, the Government had reportedly tried to control popular social media such as Facebook and to limit the capacity of internet users to communicate anonymously, including by using encryption.[61]

48. CIVICUS noted that defamation was a criminal offence and had been used to silence human rights advocates and journalists.[62] JS7 noted that Natural Fruit Company Ltd files four criminal and civil defamation complaints against Andy Hall, a British human rights defender and labour researcher in Thailand working with a Finnish NGO, Finnwatch, . In January 2013, Hall's findings were published in a Finnwatch report which alleged various human rights violations taking place in the company such as the confiscation of employees' passports; violence from guards and superiors; dangerous working conditions; child labour; and illegally low wages and overtime.[63]

49. CIVICUS stated that restrictions on the freedom of association following the military coup had manifested in the unabated harassment and interference of CSOs and their staff.[64] In several instances, operations of CSOs had been severely and unwarrantedly restricted through the forceful cancellation of public events, forums and meetings in an effort to silence dissent and critical voices.[65]

50. HRW stated that the NCPO regularly banned political gatherings of more than five people, with those violating the ban being subject to six-month imprisonment and a 10,000 baht (US$300) fine.[66]

51. CIVICUS noted that many protests and demonstrations took place in Thailand against the military coup and NCPO orders and policies, often followed by the arrest and

detention of demonstrators.[67] Similarly, JS1 noted that from 22 May 2014 to 31 August 2015, authorities arrested at least 209 individuals for taking part in peaceful demonstration opposing military rule.[68] On 26 June 2015, police arrested 14 student activists from the Neo Democracy Movement in relation to their involvement in a peaceful anti-junta rally at Bangkok's Democracy Monument that took place a day earlier.[69]

52. CIVICUS noted that the Public Assembly Act passed in July 2015 in the National Legislative Assembly (NLA) outlined detailed procedures to exercise the right to peaceful assembly. The Act outlined several time and place restrictions of marches and demonstrations. Marching is prohibited between 6 PM to 6 AM, and assemblies need to take place in the time frame specified by the organisers. They cannot take place within 150 meters of the Royal Palace, the Parliament, the Government House or Courts.[70]

53. JS1 noted that within a month of its coming into effect, provisions of the July 2015 Public Assembly Act had already been invoked twice in an attempt to restrict the right to freedom of peaceful assembly.[71]

7. Right to work and to just and favourable conditions of work

54. ISI noted many difficulties for stateless people to find jobs in comparison to Thai citizens. Employers discriminated against them on the ground of citizenship, preferring to hire citizens or paying less and not respecting the labour rights of stateless persons.[72]

55. JS12 noted that the minimum wage did not correspond to the rising living cost. Workers were also subjected to unfair employment contracts with a lack of occupational safety.[73]

56. JS1 also noted that the Government did not allow migrant workers to form their own unions or associations, or to go on strike. However, they can participate in Thai trade unions, but they are not allowed to serve on the executive committees of such groups.[74]

8. Right to health

57. JS5 highlighted that people in the Southern Border Provinces had found it difficult to have access to health services. JS5 also noted the spread of HIV/AIDS and a lack of access to treatment. Further, children have no access to necessary vaccination and other treatments.[75]

58. JS6 and JS11 expressed concern about discriminatory practices, including unequal standards of healthcare given to LGBTI persons, the disclosure of sensitive and private health information, the refusal of treatment, and placing transgender persons in hospital wards opposite their preferred gender identity.[76]

9. Right to education

59. ISI stated that as of 2005, Thailand had an 'Education for All' policy that allows all children to access schooling, regardless of citizenship. However, this policy had not fully resolved problems in realizing the right to education for stateless hill tribe people. Many were not able to pay the costs involved in pursuing higher education and stateless people could not access governmental study loans.[77]

60. JS6 noted that in the public school system, there was no mandated curriculum regarding sexual orientation and gender identity, and there were reports of negative portrayals of LGBTI people in school textbooks.[78]

10. Minorities and indigenous peoples

61. Joint Submission 10 (JS10) stated that indigenous peoples had been struggling for decades to secure Thai citizenship. According to JS11, there has been on ongoing programme to register all people living in remote areas as citizens who have proof that at least one parent was born in Thailand. However, in rural areas, proof is very hard to obtain and many people lack the needed documentary evidence. Indigenous peoples were also facing oppressive government officials, many of whom still view indigenous peoples as foreign and dangerous.[79]

62. JS4 noted that the Northern part of Thailand was classified as having the most forestry land and predominantly under sustainable cultivation by ethnic/indigenous communities. Therefore if the NCPO order calling for an end to deforestation and forest encroachment continues without consultation with concerned communities, not only the rights to be free from forced eviction but also other rights relating to citizenship, the right to food, right to work, right to health care and right to education would be affected. In addition, many communities still lacked the capacity to access justice for defending their basic human rights and were often not able to effectively deal with lawsuits regarding land disputes with government agencies such as Forestry Department, Ministry of Natural Resource Management or criminal charges of trespassing on their own land.[80]

63. JS10 stated that not enough quality and organized education was being provided for indigenous children that is offered in an accessible means and appropriate to their lifestyle and in their native language.[81]

11. Migrants, refugees and asylum seekers

64. HRW stated that migrant workers from neighbouring countries continued to be abused with impunity by local police, civil servants, and employers. A poorly designed and implemented "nationality verification" registration scheme caused hundreds of thousands of migrant workers to lose their legal status, deepening their vulnerability to exploitation.[82]

65. JS1 emphasized that without a regular status, migrant workers were at risk of having their rights denied. They often faced inequitable working conditions that jeopardize their welfare and/or health. In many cases, they did not receive pay in accordance with minimum wage laws, during periods of illness, injury, or maternity; or on a regular schedule. Excessively long workdays of 12 hours or more are not unusual in some sectors, and the non-payment of overtime wages had been frequently reported.[83]

66. Joint Submission 3 (JS3) stated that the Immigration Act authorized officials to carry out the arrests and deportations of undocumented migrant workers prior to their having access to judicial review and remedies, except for just victims of trafficking in persons and even though the migrant workers were victims and entitled to remedies from legal and justice process.[84]

67. JS13 stated that asylum seekers and refugees had no legal status, faced constant discrimination, and were at risk of arbitrary arrest and detention, *refoulement* and exploitation.[85] JS12 stated that the urban refugees had no recognized status and were forced to pay bribes to Thai officials. Their children had not been entitled to equal rights. JS12 also emphasized that refugees in temporary shelters along the Thailand-Myanmar border must not be forcibly deported since the areas where ethnic minorities live are still dangerous.[86]

68. Leitner Center for International Law & Justice (Leitner Center) noted that in recent months in refugee camps located along the Thai-Myanmar border, greater enforcement of restrictions on freedom of movement and the right to work, combined with decreases in

resources and services, had created conditions which threaten to coercively return refugees to Myanmar.[87]

69. Leitner Center also noted that camp residents suffered from chronic malnutrition and anemia. Refugee access to shelter had also diminished beginning with a 2011 reduction in building materials. It highlighted that Thailand only allowed refugees to build temporary shelters and prohibits the construction of permanent structures made from more durable materials. According to Leitner Center, the donor funding shortage has negatively impacted refugees' access to healthcare. The refugee education system is no longer affordable for many families because of increased tuition fees.[88]

70. Jubilee Campaign highlighted the fact that Pakistani Christian asylum seekers are vulnerable for arrests under criminal law and they have to find financial resources in order to extend their visa, which makes them vulnerable for extortion and bribery.[89]

71. According to HRW, Thai authorities continue to violate the international prohibition against *refoulement* by returning refugees and asylum seekers to countries where they are likely to face persecution. On July 9, 2015, the Government refouled 109 ethnic Uighurs to China. The current whereabouts and status of these Uighurs are not known.[90] AI also noted that in December 2013, seven Khmer Krom men, some of whom were asylum seekers, were arrested by Thai police accompanied by Cambodian government personnel and handed over to Cambodian officials at the Thai-Cambodian border.[91]

72. HRW noted that ethnic Rohingya fleeing abuses, persecution, and hardship in Myanmar's Rakhine State or Bangladesh were often trafficked in Thailand. In May 2015, Thai authorities discovered at least 30 bodies buried at abandoned human trafficking camps in Songkhla province close to the Thai-Malaysian border.[92]

73. HRW also noted that Thai authorities have attempted to seal off the border to prevent boats carrying Rohingya from landing. On many occasions, those boats were intercepted and pushed back to the sea after receiving rudimentary humanitarian assistance and supplies from Thai authorities. On May 22, 2015, Thailand hosted an international meeting to address the Rohingya boat people exodus, but refused to work with the office of the UN High Commissioner for Refugees (UNHCR) to conduct refugee status determination screenings or set up temporary shelters for those rescued.[93]

74. The NHRCT noted that Rohingyas in immigration detention centres in Bangkok and other provinces experience overcrowding, prolonged detention and insufficient budget for food.[94]

75. HRW expressed concern that asylum seekers are summarily treated as "illegal immigrants" and subject to deportation without regard to the threats facing them. Arrested migrants, including children, are held in overcrowded detention facilities.[95] JS3 also stated that the policy to hold the sea migrants in custody at immigration checkpoints or children's homes had led to an increase of stress, physically and mentally, as a result of the crowded holding cells, being separated from their families, a lack of basic necessities, and being deprived of liberty.[96]

76. Thai Committee for Refugees Foundation (TCR) noted cases of urban refugee children waiting up to seven years for the necessary paperwork to be recognized as a refugee or found a durable solution in the third country resettlement, which results in seven years without proper schooling.[97]

77. TCR also expressed concern that many asylum seekers who are in a dire state of health are too scared to visit doctors or hospitals out of fear of arrest and lack of financial means.[98]

12. **Right to development and environmental issues**

78. JS12 noted that large-scale development projects had caused impact on the community and its leaders who had risen up to protect the community had either been arrested or injured or killed.[97]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AI	Amnesty international, London (United Kingdom of Great Britain and Northern Ireland);
CIVICUS	World Alliance for Citizen Participation (CIVICUS), Johannesburg (South Africa);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);
HRLA	Human Rights Lawyers Association, Bangkok (Thailand);
HRW	Human Rights Watch, New York (United States of America);
ISI	Institute on Statelessness and Inclusion, (Thailand);
Jubilee	Jubilee-Jubilee Campaign
Leitner Center	Leitner Center for International Law & Justice at Fordham Law School, New York, (United States of America);
LRWC	Lawyers' Rights Watch Canada, Vancouver, (Canada);
L4L	Lawyers For Lawyers, (Netherlands);
TCR	Thai Committee for Refugees Foundation, (Thailand);

Joint submissions:

JS1	Joint submission 1 submitted by: Franciscans International (FI) and Marist International Solidarity Foundation (FMSI);
JS2	Joint submission 2 submitted by: CRC Coalition Thailand composed of 37 civil society organizations and international non-governmental organizations, Bangkok (Thailand);
JS3	Joint submission 3 submitted by: Migrant Working Group Thailand Coalition, Bangkok (Thailand);
JS4	Joint submission 4 submitted by: Cross Cultural Foundation and its partners, Bangkok (Thailand);
JS5	Joint submission 5 submitted by: FTA Watch, Justice for Peace Foundation (JPF) and Land Watch Working Group (LWWG), Bangkok (Thailand);
JS6	Joint submission 6 submitted by: Kaleidoscope Human Rights Foundation, Sexual Rights Initiative, Togetherness for Equality and Action and Thai Transgender Alliance, Bangkok (Thailand);
JS7	Joint submission 7 submitted by: International Commission of Jurists (ICJ) and Thai Lawyers for Human Rights (TLHR), Bangkok (Thailand);
JS8	Joint submission 8 submitted by: International Federation of Human Rights (FIDH) and the Union for Civil Liberty (UCL), (Thailand);
JS9	Joint submission 9 submitted by: Front Line Defenders, (Ireland) and Protection International;
JS10	Joint submission 10 submitted by: Cultural Survival, Cambridge, (United States of America); Network of Indigenous Peoples in Thailand (NIPT), (Thailand) and Asia Indigenous Peoples Pact (AIPP), Chiang Mai, (Thailand);
JS11	Joint submission 11 submitted by: Buku's Gender, Sexuality, and Human Rights Classroom - Buku Classroom, Commetive production, Krapooktak Yakkhaya For SOGIE and environment, Health and Opportunity Network-HON, Pinkmonkeylopburi, Rainbow sky association of Thailand, Sangsan Anakot Yawachon Development Project- SAYDP, Sexual Diversity Group, SISTERS Foundation, TEA law, The Coalition on Democracy and Sexual Diversity Rights, Togetherness for Equality and Action –

	TEA,Tom laday Sabay Community, www.LovePattaya.com, LGBTI-UPR Thailand Working Group (Thai Transgender Alliance – Thai TGA, ILGA Asia, Bangkok Transportation Union, Tom laday Sabay Community, TEA, Sexual Diversity Group, Mplus, and HON).
JS12	Joint submission 12 submitted by: Thai NGOs Coalition for UPR, (Thailand);
JS13	Joint submission 12 submitted by: Asia Pacific Refugee Rights Network (APRRN), Fortify Rights, Asylum Access, Human Rights and Development Foundation,(HRDF), Jesuit Refugee Service (JRS), Migrant Working Group (MWG), and People's Empowerment Foundation (PEF);
JS14	Joint submission 12 submitted by: International Service for Human Rights (ISHR) and Forum-Asia;
JS15	Joint submission 12 submitted by: Thai Netizen Network and Privacy International;
JS16	Joint submission 12 submitted by: International Federation for Human Rights (FIDH), Paris, (France) and Internet Law Reform Dialogue (iLaw), (Thailand).

National human rights institution(s):

NHRCT National Human Rights Commission of Thailand, Bangkok, (Thailand);

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] JS7, para. 55.
[4] CIVICUS, para. 2.1.
[5] JS7, para. 5.
[6] CIVICUS, para. 2.1. See also AI, p.2.
[7] CIVICUS, para. 7.1.
[8] JS1, para. 6. See also JS2, para. 13.
[9] JS1, para. 8.
[10] JS12, para. 6.

[11] JS1, para. 5.
[12] CIVICUS, para. 7.6.
[13] JS12, para. 4(a).
[14] JS5, para. 25.
[15] JS6, paras. 8 – 10.
[16] JS11, para. 7.
[17] JS6, paras. 21 – 24.
[18] JS8, para. 10.
[19] JS8, para. 12.
[20] NHRCT, para. 2.
[21] JS8, para. 13.
[22] AI, p. 4.
[23] HRW, p. 3.
[24] HRW, p. 3.
[25] AI, p. 3.
[26] JS2, para. 14.
[27] JS4, para. 8.
[28] JS4, para. 33.
[29] JS5, para. 14.
[30] JS4, para. 3.
[31] JS13, para. 14.
[32] CIVICUS, para. 4.2. See also JS1, para. 17., and JS7, para. 11.
[33] HRW, p. 5.
[34] JS5, paras. 13 and 16.
[35] JS2, para. 4.
[36] JS2, para. 8.
[37] JS1, para. 41.
[38] JS1, para. 45.
[39] GIEACPC, p.1. See also Recommendations 89.36 and 89.38 of A/HRC/19/8, and paras. 15 – 16 of A/HRC/19/8/Add.1.
[40] GIEACPC, p. 2. See also JS2, para. 20.
[41] LRWC, paras. 4 – 15.
[42] HRW, p.3. and JS1, paras. 41 – 42.
[43] JS1, paras. 43 – 45.
[44] HRW, p. 1.
[45] JS7, para. 23.
[46] HRLA, para. 2.
[47] JS9, para. 5.
[48] JS14, para. 6.
[49] L4L, paras. 9 – 12.
[50] HRW, p.p. 2 – 3.
[51] HRLA, para. 14.
[52] JS2, para. 19.
[53] JS15, para. 25. See also JS16, para. 27.
[54] ISI, para. 11.
[55] JS1, para. 7.
[56] JS16, para. 16.
[57] CIVICUS, para. 5.4.
[58] CIVICUS, para. 5.5. See also JS1, paras. 11 – 15.
[59] JS1, para. 34.
[60] JS1, para. 19. See also HRW, pp. 1- 2.
[61] JS15, para. 36.
[62] CIVICUS, para. 5.7.
[63] JS7, para. 28.
[64] CIVICUS, para. 3.2.
[65] CIVICUS, para. 3.3.

[66] HRW, p. 2. See also JS7, para. 15.
[67] CIVICUS, para. 6.2.
[68] JS1, para. 49.
[69] JS1, para. 51.
[70] CIVICUS, para. 6.5. See also JS7, paras. 38 – 42, and JS16 paras. 46 – 56.
[71] JS1, para. 56.
[72] ISI, para. 13.
[73] JS12, para. 16.
[74] JS1, para. 36.
[75] JS5, para. 31.
[76] JS6, para. 26 and JS11, para. 47.
[77] ISI, para. 12.
[78] JS6, para. 13.
[79] JS10, p.1.
[80] JS4, para. 51. See also JS5, paras. 2 -4.
[81] JS10, p. 2.
[82] HRW, p. 4.
[83] JS1, para. 35.
[84] JS3, p. 3.
[85] JS13, para. 2.
[86] JS12, para. 20.
[87] Leitner Center, para. 1.
[88] Leitner Center, paras. 6 – 9.
[89] Jubilee, para. 2.
[90] HRW, p. 4. See also TCR, p. 1.
[91] AI, p. 6.
[92] HRW, p. 4.
[93] HRW, p. 4. See also ISI, para. 20.
[94] NHRCT, para. 9.
[95] HRW, p. 4.
[96] JS3, p. 2.
[97] TCR, p. 2.
[98] TCR, p. 2.
[99] JS12, para. 11.